

ACTION
OCA 87-2853

OFFICE OF CONGRESSIONAL AFFAIRS
Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	XX	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		
10. Constituent Inquiries Officer		
11. [redacted]		X
12.		

SUSPENSE 7 July 87
Date

Action Officer: [redacted]

Remarks:

RECEIVED IN REG 6 July 87

Completed 6 July by telephone

6 July 87

Name/Date

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TRANSMITTAL SLIP		DATE
TO:		7 JUL 1957
ROOM NO.	OCA Registry	
BUILDING		
REMARKS:		
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FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 1 FEB 56 241 REPLACES FORM 36-8 WHICH MAY BE USED. (47)

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11. <input type="text"/>		X
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6 July 87
Name/Date



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503
July 6, 1987

87-2853
SPECIAL

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer -
 Department of Justice (Perkins 633-2113)
 Department of State (Howdershell 647-4463)
 Central Intelligence Agency
 National Security Council

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SUBJECT: Defense draft report on H.R. 2260, "To direct the Federal departments and agencies holding records concerning reported live sightings of American military personnel classified as prisoners of war or missing in action in Southeast Asia to make such records available to the public."

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than
COB, TUESDAY, JULY 7, 1987.

Questions should be referred to Annette Rooney/Sue Thau (395-7300), the legislative analyst in this office.

Ronald K. Peterson

RONALD K. PETERSON for
Assistant Director for
Legislative Reference

Enclosures

cc: J. Cooney
B. Howard
R. Neely

SPECIAL

Honorable Dante B. Fascell
Chairman, Foreign Affairs Committee
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

This is in response to your request of May 26, 1987 for the views of the Secretary of Defense on H.R. 2260, 100th Congress, a bill "To direct the Federal departments and agencies holding records concerning reported live sightings of American military personnel classified as prisoners of war or missing in action in Southeast Asia to make such records available to the public."

H.R. 2260 would require the Defense Intelligence Agency (DIA), the focal point for POW/MIA information, to declassify all DIA-originated records concerning live sighting reports of possible Americans still missing or unaccounted for in Southeast Asia and to seek declassification by the Services, the Joint Casualty Resolution Center, and other involved intelligence agencies of relevant documents originated by these organizations.

This legislation would adversely impact the ability of U.S. Government intelligence agencies to collect and investigate information pertaining to Americans missing and unaccounted for in Indochina. Even if sources, collection disciplines and investigatory methods are excluded from declassification, there are instances where it is obvious that the substance of a report could have only originated with a specific individual or been collected in a certain manner, thus being sufficient in itself to reveal the source or the collection method. Even more importantly, we must preclude exposing our degree of knowledge and our investigatory/analytical techniques to those against whom we are collecting, the governments of Indochina, so as not to enable them to negate or reduce the intelligence community's ability to check out future POW/MIA reports. If released without accompanying DIA analysis, raw POW/MIA information would be meaningless and, worse yet, subject to imaginative interpretation in the hands of unqualified amateurs lacking the ability or means to investigate and analyze properly. To even begin to try to implement the proposed legislation within the 30-day period stipulated, DIA would be forced to concentrate solely on this proposed project to the total detriment of its

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